

Attorney Docket No. 6173-4009US

**REMARKS**

Claims 66-100 and 102-133 are pending in this application. Claims 66, 67, 70-75, 77, 79-87, 96, 99, 100, 102-106, 108, 109, 114-116, 119, 120, 122, 123 and 125-130 have been amended by this Amendment. Additionally, claim 101 has been cancelled and claims 131-133 have been added by this Amendment.

The Office Action dated November 18, 2004 rejected claim 130 as being anticipated by U.S. Patent No. 6,671,377 issued to Havinis et al., and rejected claims 86-95 as being anticipated by U.S. Patent No. 6,061,346 issued to Nordman. The Office Action also rejected claims 66-85 as being obvious in view of Nordman, and rejected claims 96-129 as being rendered obvious by Nordman in view of Havinis et al.

**Claim Amendments**

Independent claim 130 has been amended to specify that the dedicated address is such that any request received at the dedicated address is a position request. Claims 66, 86, 87 and 99, which were previously independent, have been amended to be dependent on amended claim 130.

New claims 131-133 have been added by this Amendment. Claim 131 is an independent claim substantially similar to amended claim 130 except that it is directed to a first station for use in a network. Claim 132 is an independent claim substantially similar to amended claim 130 except that it is directed to a network element. Claim 133 is an independent claim substantially similar to amended claim 130 except that it is directed to a method for obtaining location information.

Exemplary, non-limiting, support for the amendment to claim 130 and for new claims 131-133 can be found on pages 6-7 of the specification. In the embodiment discussed thereat, if the server 42 wants or needs the location of the mobile station, a message is sent to a dedicated port of the mobile station. The port is uniquely identified by the IP address of the mobile station and the port number. Different ports are used for the location request and reply packets. Thus, if the server wants to know the position of the mobile station, it sends a position request to the predetermined port and IP address of the mobile station.

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In particular, the paragraph bridging pages 6 and 7 of the specification states that the mobile station is configured so that it knows that any request it receives at its dedicated port is a position request. In other words, there is a particular address (defined by the IP address in conjunction with the port number) that is provided and arranged only to receive and handle positioning requests.

### Anticipation Rejections

The grounds for the rejection of claim 130 as being anticipated by U.S. Patent No. 6,671,377 issued to Havinis et al is set forth in part 7 on pages 19-20 of the Office Action. The rejection relies upon the embodiments shown in Figs. 3, 5 and 6 and described at col. 7, line 1, to col. 8, line 6, of U.S. Patent No. 6,671,377 issued to Havinis et al (these embodiments hereinafter referred to simply as "Havinis"). Applicants respectfully traverse the rejection on the grounds that it fails to establish that Havinis includes each and every one of the combination of features recited in claim 130.

Although Havinis includes a method for allowing a mobile station to provide positioning information, there is no indication of the recited feature of a mobile station or network element having a specific dedicated address for receiving only requests from an external element as to the location of the mobile station. For this feature, the rejection points to a particular portion of the patent, which reads as follows:

"The HLR 26 checks its records to confirm that the MS 20 is registered in the HLR 26 (step 610), and that routing information for that MS 20 is available (step 615). If the MS 20 is not registered in the HLR 26 (step 610) or the routing information is not available (step 615), the positioning request 285 is rejected (step 620) and the GMLC 290 sends a rejection message 295 to the requesting LA 280 (step 625). However, if the MS 20 is registered in the HLR 26 (step 610) and routing information for the MSC 14 is available (step 615), the routing information, e.g., the MSC 14 address, is sent to the GMLC 290 (step 630). Using this MSC 14 address, the GMLC 290 transmits a MAP PROVIDE SUBSCRIBER LOCATION message, which contains the positioning request 285, to the serving MSC 14 (step 635)." (see col. 7, lines 26-40, emphasis added)

It can be seen that the address utilized in Havinis is the address allocated generally to a network entity, that is to MSC 14. In other words, the network entity has merely been allocated its own IP address. It is not a specified address which only receives requests for location information and does not receive any other type of request. In particular, it is not a dedicated

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address for receiving requests from an external element as to the location of the mobile station and does not anticipate at least the above quoted feature as recited in amended independent claim 130 and new independent claims 131-133.

The rejection of claims 86-95 as being anticipated by U.S. Patent No. 6,061,346 issued to Nordman has been rendered moot by the amendment of these claims to be dependent, directly or indirectly, on amended claim 130. Applicants respectfully submit that claims 86-95 are allowable for at least the same reasons set forth above for amended claim 130.

#### **Obviousness Rejections**

The grounds for the rejection of claims 66-85 as being obvious in view of U.S. Patent No. 6,061,346 issued to Nordman is set forth in part 2 on pages 2-7 of the Office Action. The rejection has been rendered moot by the amendment of claims 66-85 to be dependent, directly or indirectly, on new claim 133.

The grounds for the rejection of claims 96-129 as being obvious over U.S. Patent No. 6,061,346 issued to Nordman in view of U.S. Patent No. 6,671,377 issued to Havinis et al is set forth in part 3 and 4 on pages 7-15 of the Office Action. The rejection has been rendered moot by the amendment of claims 96-129 to be dependent, directly or indirectly, on amended claim 130.

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Please charge the excess claim fees for the two additional claims, the fee for a three month extension of time, and any other fees necessary for the consideration of this paper or to otherwise avoid abandonment of this application, to Deposit Account No. 02-4270 (Dkt. No. 6173/4009) and please also credit any excess fees to such deposit account.

Respectfully Submitted,



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